

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.26794 OF 2005

Dt.15.12.2005

Between:

M/s.J.Thimmaiah Metal Industries Ltd.,

IDA Lakdharam Village,

Patancheru Mandal, Medak District,

Rep. by its Partner J.Ramachandra Raju ... Petitioner

And

The Central Power Distribution Company Ltd., of

Andhra Pradesh, rep. by its Chief Engineer,

Electricity/Quality Control, Vidyut Soudha,

Hyderabad and 3 others. ... Respondents

ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the respondents.

The petitioner is a partnership firm and it has been granted quarry lease for stone and metal in Sy.No.738/1, Lakdaram Village, Patancheru Mandal, Medak District, over an extent of Ac.3.00 vide proceedings dated 6.5.2004 by the Assistant Director of Mines and Geology which is valid up to 9.5.2014. After establishing the said unit, the petitioner made an application on 21.8.2004 to the 2nd respondent for supply of electricity and accordingly permission was granted for installation of 100 KVA Distribution Transformer to be supplied by extending supply to 1.P.No.74 H.P. L.T.Indl. Load Cat-III to the petitioner unit. It is stated that as per condition No.38.9 of A.P.S.E.B Terms and Conditions of Supply every consumer using induction motors shall install LT shunt capacitor of specified rating

fixed by the Department. If the consumer failed to provide the capacitor, the respondents are authorized to levy surcharge of 25% per month on the bill amount. It is stated that the petitioner has installed the capacitor on 7.9.2004 and without taking note of the installation of the capacitor, the respondents issued bills levying surcharge on the capacitor. Therefore, the petitioner made a representation on 18.9.2005 before the 2nd respondent, but the same has not been considered so far.

Having regard to the facts and circumstances of the case, the 2nd respondent is directed to consider and dispose of the said representation dated 18.9.2005 as expeditiously as possible preferably within four weeks from the date of receipt of a copy of this order. Till then, the respondents shall not levy surcharge amount on the capacitor and the power supply to the petitioner's stone crusher unit vide Consumer No.719, Meter No.6015, Sangareddy Sub Division, Lakdaram Village, Pattancheru Mandal, Medak District, shall not be disconnected for nonpayment of capacitor surcharge.

The writ petition is disposed of accordingly. No costs.

(V.ESWARAIAH, J.)

15.12.2005

kpr